

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID JORDAN,

Plaintiff,

v.

U.S. POSTAL SERVICE,

Defendant.

CIVIL ACTION NO. 07-10681

DISTRICT JUDGE SEAN F. COX

MAGISTRATE JUDGE DONALD A. SCHEER

ORDER DENYING APPLICATION FOR APPOINTMENT OF COUNSEL

This matter is before the magistrate judge on Order of Reference for All Pretrial Proceedings. This cause is consolidated with Case No. 06-14081. Before the Court is Plaintiff's Application for Appointment of Counsel.

A similar Application for Appointment of Counsel was filed in Case No. 06-14081. The Application was denied by the district judge in a written Order of September 29, 2006. The grounds for denial of the earlier application are stated in the written Order. Plaintiff's Application for Appointment of Counsel in Case No. 07-10681 is subject to the same analysis.

The Court has determined that there are no exceptional circumstances in this case that would warrant the appointment of counsel. Plaintiff's claims have not yet been tested by a dispositive motion. Accordingly, it is Ordered that Plaintiff's Application for Appointment of Counsel is denied.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

Dated: September 7, 2007

CERTIFICATE OF SERVICE

I hereby certify on September 7, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on September 7, 2007. **David Jordan.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217